

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MICHAEL ERIC PITTMAN,
Plaintiff,

vs.

KELLI MCINTYRE, CHRISTINE
EDWARDSON, HAROLD SNIVELY
and STEVE SINCLAIR,

Defendants.

NO. CV-05-5121-EFS

ORDER DISMISSING COMPLAINT WITHOUT
PREJUDICE

BEFORE THE COURT is Plaintiff Michael Eric Pittman's Motion to Voluntarily Dismiss Complaint pursuant to Fed. R. Civ. P. 41(a). Defendants have not been served in this action. Accordingly, **IT IS ORDERED** Plaintiff's Motion (Ct. Rec. 29) is **GRANTED** and the Complaint is **DISMISSED WITHOUT PREJUDICE**.

Although granted the opportunity to do so, Plaintiff did not file a separate Motion and Affidavit to waive the remaining balance of the filing fee as directed. Therefore, Plaintiff still is obliged to pay the full filing fee for this action pursuant to 28 U.S.C. § 1915(b).

IT IS SO ORDERED. The District Court Executive is directed to enter this Order, enter judgment of dismissal without prejudice,

1 forward a copy to Plaintiff, and close the file.

2 **DATED** this 11th day of May 2006.

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4 S/ Edward F. Shea

5 EDWARD F. SHEA
6 UNITED STATES DISTRICT JUDGE
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